



COMMONWEALTH of VIRGINIA

Molly Joseph Ward
Secretary of Natural Resources

DEPARTMENT OF ENVIRONMENTAL QUALITY

Blue Ridge Regional Office

3019 Peters Creek Road, Roanoke, Virginia 24019
(540) 562-6700; Fax (540) 562-6725
www.deq.virginia.gov

David K. Paylor
Director

Robert J. Weld
Regional Director

November 13, 2017

Mr. David A Craymer
Vice President, Power Generation Operations
Virginia Electric and Power Company
500 Dominion Blvd
Glen Allen, VA 23060

Location: Alleghany
Registration No.: 20675

Dear Mr. Craymer:

Attached is a renewal Title V permit to operate your facility pursuant to 9 VAC 5 Chapter 80 of the Virginia Regulations for the Control and Abatement of Air Pollution.

This permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and civil penalty. Please read all conditions carefully.

This approval to operate does not relieve Virginia Electric and Power Company of the responsibility to comply with all other local, state, and federal permit regulations.

Issuance of this permit is a case decision. The Regulations, at 9 VAC 5-170-200, provide that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this permit is mailed or delivered to you. Please consult that and other relevant provisions for additional requirements for such requests.

Additionally, as provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal to court by filing a Notice of Appeal with:

Mr. David K. Paylor, Director
Department of Environmental Quality
P. O. Box 1105
Richmond, VA 23218

In the event that you receive this permit by mail, three days are added to the period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for additional information including filing dates and the required content of the Notice of Appeal.

If you have any questions concerning this permit, please contact the permit writer at 434-598-0456.

Sincerely,



Robert J. Weld
Regional Director

PRJ/BKA/20675 T5 renewal

Attachment: Permit

cc: Director, OAPP (electronic file submission)
Manager, Data Analysis (electronic file submission)
Chief, Air Enforcement Branch (3AP13), U.S. EPA, Region III
Manager/Inspector, Air Compliance (electronic file submission)



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Federal Operating Permit Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9VAC5-80-50 through 9VAC5-80-300, of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name: Virginia Electric and Power Company
Facility Name: Low Moor CT Station
Facility Location: 9319 Rich Patch Road
Covington, VA 24457
Registration Number: 20675
Permit Number: BRRO20675

This permit includes the following programs:

Federally Enforceable Requirements - Clean Air Act (Pages 3 through 17)

November 13, 2017

Renewal Effective Date

November 12, 2022

Expiration Date

Regional Director

11/13/2017

Renewal Signature Date

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Facility Information

Permittee

Virginia Electric and Power Company
5000 Dominion Blvd
Glen Allen, VA 23060

Responsible Official

David Craymer
Vice President – Systems Operations

Facility

Low Moor CT Station
9319 Rich Patch Road
Covington, Virginia 24426

Contact Person

Andy Gates
Environmental Consultant
804-273-2950

County-Plant Identification Number: 51-00500024

Facility Description: NAICS 221112 – Fossil Fuel Electric Power Generation –The facility is a peaking power plant constructed in 1971. Electricity is generated by combusting distillate oil in 4 simple cycle combustion turbines. One combustion turbine is equipped with a blackstart engine. The facility is a Title V major source of sulfur dioxide and nitrogen oxides and is not a Title V major source of hazardous air pollutants.

Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description*	PCD ID	Pollutant Controlled	Applicable Permit Date
Fuel Burning Equipment							
ES-1	EP-1	Unit 1 Combustion Turbine	323 MMBtu/hr (input)	N/A	N/A	N/A	N/A
ES-2	EP-2	Unit 2 Combustion Turbine	323 MMBtu/hr (input)	N/A	N/A	N/A	N/A
ES-3	EP-3	Unit 3 Combustion Turbine	323 MMBtu/hr (input)	N/A	N/A	N/A	N/A
ES-4	EP-4	Unit 4 Combustion Turbine	323 MMBtu/hr (input)	N/A	N/A	N/A	N/A
ES-5	EP-4	Unit 4 Blackstart Internal Combustion Engine	6.72 MMBtu/hr (300 HP)	N/A	N/A	N/A	N/A

*The Size/Rated capacity, and PCD efficiency is provided for informational purposes only, and is not an applicable requirement.

Fuel Burning Equipment Requirements – Four 323 MMBtu/hr Combustion Turbines (ES-1, ES-2, ES-3, ES-4) and a 6.72 MMBtu/hr Blackstart Internal Combustion Engine (ES-5)

1. Fuel Burning Equipment Requirements – (ES-1, ES-2, ES-3, ES-4, ES-5) - Limitations

– The approved fuel for the four combustion turbines and blackstart engine is distillate oil. Distillate oil is defined as fuel oil that meets the specifications for fuel oil numbers 1 or 2 under the American Society for Testing and Materials, ASTM D396 “Standard Specification for Fuel Oils”, or other approved ASTM method incorporated in 40 CFR 60 by reference. A change in fuels may require a permit to modify and operate.
(9VAC5-80-110)

2. Fuel Burning Equipment Requirements - (ES-1, ES-2, ES-3, ES-4) - Limitations -

Emissions from the operation of each combustion turbine shall not exceed the limits specified below:

Particulate Matter (total PM)	0.170 lb/MMBtu
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Sulfur Dioxide	852.7 lb/hr
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(9VAC5-40-900 B.1, 9VAC5-40-930 A.1 and 9VAC5-80-110)

3. Fuel Burning Equipment Requirements - (ES-5) - Limitations - Emissions from the operation of the blackstart engine (ES-5) shall not exceed the limits specified below:

Sulfur Dioxide	17.74 lb/hr
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(9VAC5-40-280 and 9VAC5-80-110)

4. Fuel Burning Equipment Requirements – (ES-1, ES-2, ES-3, ES-4) - Limitations - The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions from the combustion turbines (ES-1, ES-2, ES-3, ES-4):

- a. Develop and deploy a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance for the turbines;
- b. Develop and deploy an inspection schedule, monthly at a minimum, to ensure operational integrity of the turbines and maintain records of inspection results;
- c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum; and

- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance, inspections and training shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.
(9 VAC 5-40-20 E and 9 VAC 5-80-110)

5. **Fuel Burning Equipment Requirements – (ES-5) – Limitations** – The blackstart engine (ES-5) and after treatment control device (if any) shall be operated and maintained according to the manufacturer's emission-related written instruction or a maintenance plan, developed by the permittee, which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether such operation and maintenance procedures being used are sufficient to minimize emissions will be based on available information which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.
(9VAC5-40-20 E, 9VAC5-80-110, 40 CFR 63.6605(b), 40 CFR 63.6625(e), and 40 CFR 63.6640(a))
6. **Fuel Burning Equipment Requirements - (ES-1, ES-2, ES-3, ES-4, ES-5) - Limitations** - Visible emissions from each turbine exhaust stack (EP-1, EP-2, EP-3, EP-4) and blackstart engine exhaust stack (EP-4) shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity.
(9VAC5-40-80, 9VAC5-40-320, 9VAC5-40-940 and 9VAC5-80-110)
7. **Fuel Burning Equipment Requirements – (ES-5) – Limitations** – The blackstart engine (ES-5) must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.
(9VAC5-80-110 and 40 CFR 63.6625(h))
8. **Fuel Burning Equipment Requirements – (ES-5) – Limitations** – The blackstart engine (ES-5) shall be operated and maintained to meet the requirements of 40 CFR 63 Subpart ZZZZ, Table 2d (4) which requires:
 - a. Oil change and oil filter change every 500 hours of operation or annually, whichever comes first,
 - b. Inspection of the air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and

- c. Inspection of all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

Alternatively, the frequency of oil changes can be extended if the optional oil analysis program is conducted in accordance with 40 CFR 63.6625(i). The alternative oil analysis program requires oil analysis to be performed at the same frequency specified for changing the oil. If the oil analysis results for Total Base Number, viscosity, and percent water content are all below the condemning limits of 40 CFR 63.6625(i), the owner or operator is not required to change the oil. If any of the condemning limits are exceeded, the owner or operator is required to change the oil within 2 business days of receiving the results of the analysis or within 2 business days of commencing operation if the engine is not in operation when the results of the analysis are received.

(9VAC5-80-110, 40 CFR 63.0003(a) and 40 CFR 63.6625(i))

9. **Fuel Burning Equipment Requirements - (ES-1, ES-2, ES-3, ES-4, ES-5) – Monitoring**
– Observations for the presence of visible emissions from each of the combustion turbine exhaust stacks (EP-1, EP-2, EP-3, EP-4) and the blackstart engine exhaust stack (EP-4) shall be made. The required frequency of the observations for the presence of visible emissions is detailed below:

<u>Emission Unit Operating Hours</u> <u>per Year (hr/yr)</u>	<u>Frequency of Observations for Presence</u> <u>of Visible Emissions</u>
Less than 20 hr/yr	No observation is required
Greater than 20 hr/yr but less than 200 hr/yr	Once per year
Greater than 200 hr/yr	Once every 200 hours

The presence of visible emissions shall require the permittee to:

- a. Take timely corrective action such that the emission unit (ES-1, ES-2, ES-3, ES-4, ES-5) resumes operation with no visible emissions, or,
- b. Conduct a visible emission evaluation (VEE) on the emission unit (ES-1, ES-2, ES-3, ES-4, ES-5) exhaust stack (EP-1, EP-2, EP-3, EP-4) with visible emissions in accordance with EPA Method 9 (reference 40 CFR 60, Appendix A) for a minimum of six (6) minutes, to assure visible emissions from the emission unit is 20% opacity or less. If any observations exceed 20 % opacity, the observation period shall continue until a total of sixty (60) minutes of observation have been completed. Timely corrective action shall be taken, if necessary, such that the emission unit resumes operation within the 20% opacity limit.

The permittee shall maintain a written or electronic observation log for each combustion turbine (ES-1, ES-2, ES-3, ES-4) and the blackstart engine (ES-5) to demonstrate compliance. The log shall include the date and time of the observations, whether or not there were visible emissions, the results of all VEEs, any necessary corrective action, and

the name of the observer. If any emission unit (ES-1, ES-2, ES-3, ES-4, ES-5) has not been operated for any period, it shall be noted in the log.
(9VAC5-80-110 E and 9VAC5-80-110 K)

10. **Fuel Burning Equipment Requirements - (ES-1, ES-2, ES-3, ES-4) - Recordkeeping -**
The permittee shall obtain a source tank analysis from the fuel supplier with each shipment of distillate oil. A "shipment" is defined for this condition as a continuous, single delivery of fuel oil from the same origin. Each fuel supplier source tank analysis shall include the following:
- a. The name of the fuel supplier;
 - b. Identification of source tank;
 - c. The date on which the oil was sampled;
 - d. A statement that the oil complies with the American Society for Testing and Materials specifications for fuel oil numbers 1 and 2; and
 - e. The sulfur content of the oil.

The permittee shall also maintain records of:

- f. The dates of delivery to the permitted facility; and
- g. The total volume of distillate oil delivered in each shipment.

(9VAC5-80-110)

11. **Fuel Burning Equipment Requirements - (ES-1, ES-2, ES-3, ES-4, ES-5) - Recordkeeping -**
The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Blue Ridge Regional Office (BRRO). These records shall include, but are not limited to:
- a. The annual throughput of distillate oil (in gallons) for the combustion turbines (ES-1, ES-2, ES-3, ES-4). Annual throughput totals shall be calculated monthly as the sum of each consecutive 12 month period;
 - b. Copy of the combustion turbine (ES-1, ES-2, ES-3, ES-4) operation and maintenance plan required by Condition 4;
 - c. Combustion turbine (ES-1, ES-2, ES-3, ES-4) maintenance records and operator training required by Condition 4;

- d. Copy of the blackstart engine (ES-5) operation and maintenance plan required by Condition 5 [40 CFR 63.6655(d)];
- e. Records of maintenance conducted on the blackstart engine (ES-5) [40 CFR 63.6655(e)];
- f. Operating hours and reason for operating the blackstart engine (ES-5);
- g. A copy of each notification and report that was submitted to comply with 40 CFR 63 Subpart ZZZZ, including all documentation supporting any initial notification or notification of compliance status that was submitted, according to 40 CFR 63.10(b)(2)(xiv) [40 CFR 63.6655(a)(1)];
- h. Records of the occurrence and duration of each malfunction of the blackstart engine (ES-5) [40 CFR 63.6655(a)(2)];
- i. Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.6605(b), including corrective actions to restore malfunctioning process to its normal or usual manner of operation [40 CFR 63.6655(a)(5)];
- j. Visible emission logs for the combustion turbines (ES-1, ES-2, ES-3, ES-4) and blackstart engine (ES-5), as required by Condition 9; and
- k. Distillate oil shipment records and source tank analyses, as required by Condition 10.

These records shall be readily available on site for inspection by the DEQ and shall be current for the most recent (5) years.
(9VAC5-40-20, 9VAC5-80-110, 40 CFR 63.6655 and 40 CFR 63.6660)

- 12. **Facility Wide Conditions - Testing** - The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9VAC5-40-30 and 9VAC5-80-110)
- 13. **Facility Wide Conditions - Testing** - If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.
(9VAC5-80-110)

Insignificant Emission Units

- 14. **Insignificant Emission Units** - The following emission units at the facility are identified in the application as insignificant emission units under 9VAC5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9VAC5-80-720B)	Rated Capacity (9VAC5-80-720C)
IS-1	Fuel Oil Tank	9VAC5-80-720B	VOC	1,500,000 gallons
IS-2	Lube Oil Systems	9VAC5-80-720B	VOC	4 @ 1,700 gallons
IS-3	Coolant/Glycol	9VAC5-80-720B	VOC	4 @ 140 gallons
IS-4	Oil/Water Separator - Inground	9VAC5-80-720B	VOC	20 gallons/minute

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9VAC5-80-110. (9VAC5-80-110)

Permit Shield & Inapplicable Requirements

15. **Permit Shield & Inapplicable Requirements** - Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
N/A		

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by (i) the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
 (9VAC5-80-110 and 9VAC5-80-140)

General Conditions

16. **General Conditions - Federal Enforceability** - All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

(9VAC5-80-110)

17. **General Conditions - Permit Expiration** - This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9VAC5-80-80, the right of the facility to operate shall be terminated upon permit expiration.
(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)
18. **General Conditions - Permit Expiration** - The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)
19. **General Conditions - Permit Expiration** - If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9VAC5 Chapter 80, until the Board takes final action on the application under 9VAC5-80-150.
(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)
20. **General Conditions - Permit Expiration** - No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9VAC5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9VAC5 Chapter 80.
(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)
21. **General Conditions - Permit Expiration** - If an applicant submits a timely and complete application under section 9VAC5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9VAC5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)
22. **General Conditions - Permit Expiration** - The protection under subsections F 1 and F 5 (ii) of section 9VAC5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9VAC5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.
(9VAC5-80-80, 9VAC5-80-110 and 9VAC5-80-170)
23. **General Conditions -Recordkeeping and Reporting** - All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:

- a. The date, place as defined in the permit, and time of sampling or measurements;
- b. The date(s) analyses were performed;
- c. The company or entity that performed the analyses;
- d. The analytical techniques or methods used;
- e. The results of such analyses; and
- f. The operating conditions existing at the time of sampling or measurement.

(9VAC5-80-110)

24. **General Conditions -Recordkeeping and Reporting** - Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
(9VAC5-80-110 and 9VAC5-40-50)

25. **General Conditions -Recordkeeping and Reporting** - The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9VAC5-80-80 G, and shall include:

- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31; and
- b. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:
 - i. Exceedances of emissions limitations or operational restrictions;
 - ii. Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,
 - iii. Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

(9VAC5-80-110, 40 CFR 63.6640(b) and 40 CFR 63.6650(f))

26. **General Conditions - Annual Compliance Certification** - Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for the period ending December 31. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. The permittee shall maintain a copy of the certification for five (5) years after submittal of the certification. This certification shall be signed by a responsible official, consistent with 9VAC5-80-80 G, and shall include:

- a. The time period included in the certification. The time period to be addressed is January 1 to December 31;
- b. The identification of each term or condition of the permit that is the basis of the certification;
- c. The compliance status;
- d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance;
- e. Consistent with subsection 9VAC5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period;
- f. Such other facts as the permit may require to determine the compliance status of the source; and
- g. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

R3_APD_Permits@epa.gov

(9VAC5-80-110)

27. **General Conditions - Permit Deviation Reporting** - The permittee shall notify the Blue Ridge Regional Office within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the

estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to Condition 25 of this permit. (9VAC5-80-110 F.2)

28. **General Conditions - Failure/Malfunction Reporting** - In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall no later than four daytime business hours after the malfunction is discovered, notify the Blue Ridge Regional Office such failure or malfunction and within 14 days provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9VAC5-40-50 C and 9VAC5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9VAC5-40-40 and 9VAC5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Blue Ridge Regional Office.
(9VAC5-80-110 and 9VAC5-20-180)
29. **General Conditions - Failure/Malfunction Reporting** - The emission units that have continuous monitors subject to 9VAC5-40-50 C and 9VAC5-50-50 C are not subject to the 14 day written notification.
(9VAC5-20-180)
30. **General Conditions - Failure/Malfunction Reporting** - Each owner required to install a continuous monitoring system (CMS) or monitoring device subject to 9VAC5-40-41 or 9VAC5-50-410 shall submit a written report of excess emissions (as defined in the applicable subpart in 9VAC5-50-410) and either a monitoring systems performance report or a summary report form, or both, to the board semiannually. All reports shall include the following information:
 - a. The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h) or 9VAC5-40-41 B.6, any conversion factors used, and the date and time of commencement and completion of each period of excess emissions;
 - b. Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the source. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted;
 - c. The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and
 - d. When no excess emissions have occurred or the continuous monitoring systems have not been inoperative, repaired or adjusted, such information shall be stated in the report.

All malfunctions of emission units not subject to 9VAC5-40-50 C and 9VAC5-50-50 C require written reports within 14 days of the discovery of the malfunction.
(9VAC5-40-50, 9VAC5-80-110 and 9VAC5-20-180 C)

31. **General Conditions - Severability** - The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9VAC5-80-110)
32. **General Conditions - Duty to Comply** - The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9VAC5-80-110)
33. **General Conditions - Need to Halt or Reduce Activity not a Defense** - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9VAC5-80-110)
34. **General Conditions - Permit Modification** - A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9VAC5-80-50, 9VAC5-80-1100, 9VAC5-80-1605, or 9VAC5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.
(9VAC5-80-110, 9VAC5-80-190 and 9VAC5-80-260)
35. **General Conditions - Property Rights** - The permit does not convey any property rights of any sort, or any exclusive privilege.
(9VAC5-80-110)
36. **General Conditions - Duty to Submit Information** - The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9VAC5-80-110)
37. **General Conditions - Duty to Submit Information** - Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9VAC5-80-80 G.

(9VAC5-80-110)

38. **General Conditions - Duty to Pay Permit Fees** - The owner of any source for which a permit under 9VAC5-80-50 through 9VAC5-80-300 was issued shall pay permit fees consistent with the requirements of 9VAC5-80-310 through 9VAC5-80-350 in addition to an annual permit maintenance fee consistent with the requirements of 9VAC5-80-2310 through 9VAC5-80-2350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department. The amount of the annual permit maintenance fee shall be the largest applicable base permit maintenance fee amount from Table 8-11A in 9VAC5-80-2340, adjusted annually by the change in the Consumer Price Index. (9VAC5-80-110, 9VAC5-80-340 and 9VAC5-80-2340)

39. **General Conditions - Fugitive Dust Emission Standards** - During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

- a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
- b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
- c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
- d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
- e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9VAC5-40-90 and 9VAC5-80-110)

40. **General Conditions - Startup, Shutdown, and Malfunction** - At all times, including periods of startup, shutdown, and soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing

emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
(9VAC5-40-20 E and 9VAC5-80-110)

41. **General Conditions - Alternative Operating Scenarios** - Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9VAC5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9VAC5 Chapter 80, Article 1.
(9VAC5-80-110)
42. **General Conditions - Inspection and Entry Requirements** - The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:
- a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
 - b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
 - d. Sample or monitor at reasonable times' substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9VAC5-80-110)

43. **General Conditions - Reopening for Cause** - The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9VAC5-80-80 F. The conditions for reopening a permit are as follows:
- a. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

- b. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
- c. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9VAC5-80-110 D.

(9VAC5-80-110)

- 44. **General Conditions - Permit Availability** - Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.
(9VAC5-80-110 and 9VAC5-80-150)
- 45. **General Conditions - Transfer of Permits** - No person shall transfer a permit from one location to another, unless authorized under 9VAC5-80-130, or from one piece of equipment to another.
(9VAC5-80-110 and 9VAC5-80-160)
- 46. **General Conditions - Transfer of Permits** - In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9VAC5-80-200.
(9VAC5-80-110 and 9VAC5-80-160)
- 47. **General Conditions - Transfer of Permits** - In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9VAC5-80-200.
(9VAC5-80-110 and 9VAC5-80-160)
- 48. **General Conditions - Permit Revocation or Termination for Cause** - A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9VAC5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations.
(9VAC5-80-110, 9VAC5-80-190 C and 9VAC5-80-260)
- 49. **General Conditions - Duty to Supplement or Correct Application** - Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly

submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.
(9VAC5-80-110 and 9VAC5-80-80 E)

50. **General Conditions - Stratospheric Ozone Protection** - If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.
(9VAC5-80-110 and 40 CFR Part 82)
51. **General Conditions - Asbestos Requirements** - The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).
(9VAC5-60-70 and 9VAC5-80-110)
52. **General Conditions - Accidental Release Prevention** - If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(9VAC5-80-110 and 40 CFR Part 68)
53. **General Conditions - Changes to Permits for Emissions Trading** - No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9VAC5-80-110)
54. **General Conditions - Emissions Trading** - Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:
 - a. All terms and conditions required under 9VAC5-80-110, except subsection N, shall be included to determine compliance.
 - b. The permit shield described in 9VAC5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
 - c. The owner shall meet all applicable requirements including the requirements of 9VAC5-80-50 through 9VAC5-80-300.
(9VAC5-80-110)